

AUG - 9 2005

TRIAL MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

For The Northern Mariana Islands
(Deputy Clerk)

CR-04-00038

August 9, 2005
8:30 a.m.

UNITED STATES OF AMERICA -v- ERIC JOHN TUDELA MAFNAS, et., al..

PRESENT: Hon. A. Wallace Tashima, Senior Circuit Judge
Sanae Shmull, Court Reporter
Michelle C. Macaranas, Courtroom Deputy
Timothy Moran, Assistant U. S. Attorney
Jamie Bowers, Assistant U.S. Attorney
Stephanie Flores, Attorney for Defendant Mafnas
Victorino Torres, Attorney for Defendant Mafnas
Perry Inos, Attorney for Defendant Patris
Eric John Tudela Mafnas, Defendant
Charley K. Patris, Defendant

PROCEEDINGS: **JURY TRIAL - Day Six / RULE 29 MOTION**

Government by Timothy Moran and Jamie Bowers, AUSAs. Attorney Stephanie Flores and Victorino Torres was present on behalf and with defendant, Eric John Tudela Mafnas. Attorney Perry Inos was present on behalf and with defendant, Charley K. Patris. Also present was Joe Auther, Special Agent FBI.

At 9:16 a.m. Court took up matters regarding defense's Rule 29 Motion. Attorney Flores moved for a Rule 29 motion on behalf of defendant Mafnas. Attorney Inos joined the motion. After all arguments, Court DENIED defendant's Rule 29 Motion for acquittal for both defendants and ordered that the jury trial continue.

At 9:36 a.m all jurors were brought into the courtroom. At 9:36 am. Court resumed.

DEFENSE CALLED WITNESS: **ERIC JOHN TUDELA MAFNAS (Defendant)** DX. Ex. 3. Ex. 22A, 22B, 22C & 22D.

At 10:45 a.m Court admonished and excused the jurors and witness for a break. At 11:10a.m. all jurors were present. Court resumed at 11:11 a.m.

DEFENSE CONTINUED WITH WITNESS: **ERIC JOHN TUDELA MAFNAS**. DX. Ex. 23. Government offered Ex. 23; no objection; Court so Ordered. Ex. T. Ex. 5, 6, 7 & 8. At 11:45 a.m. Attorney Inos began DX. Ex. 5. Ex.6, Ex. 7, Ex.8.

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At 11:47 a.m. Government began CX with witness Eric Mafnas.

At 12:00 p.m. Court admonished and excused the jurors for lunch. Witness was also excused.

At 1:30pm all jurors were present. At 1:35 pm Court resumed.

GOVERNMENT CONTINUED WITH DEFENSE WITNESS: **ERIC JOHN TUDELA MAFNAS**. CX. Ex. 5, 6, 7 & 8. Ex. 5A, 6A, 7A & 8A. Ex. 10. Ex. 21, 21A, 21B, 21C & 21D. Ex. 1. Ex. 3, 4, & 2. Ex. 27, 25, 22A, 22B, 22C, 22D. Ex. 30. Government offered Ex. 30; no objections; Court so Ordered. Ex. 23 & 30. Ex. 18. Ex. 28.

At 3:25pm Court admonished and excused the jurors for a break. Court resumed at 3:28pm.

GOVERNMENT CONTINUED WITH DEFENSE WITNESS: **ERIC JOHN TUDELA MAFNAS**. CX. *At 3:32 pm. Attorney Flores began RDX. Ex. 23, 30 & V. Defense offered Ex. V; no objections; Court so Ordered. Government did not have RCX. Attorney Inos did not have RDX.* At 3:56pm witness Mafnas was excused.

At 3:56pm. Attorney Flores on behalf of defendant Mafnas rested and Attorney Inos on behalf of defendant Patris began DX.

DEFENSE PATRIS' WITNESS: **CHARLEY PATRIS**. DX.

At 4:30 pm. Court admonished and excused the jury for the day and ordered that they return tomorrow, August 10, 2005 at 1:30pm to resume trial.

Court took up matters with regards to Government's objection with witness Patris.

Adjourned 4:35 p.m.



Michelle C. Macaranas, Court Deputy